

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re BAYCOL PRODUCTS LITIGATION

MDL NO. 1431 (MJD/SRN)

ORDER

This Document Relates to:

Gordon Boucher, et al. v. Bayer Corp., et al.
(Plaintiff Lula Mae Gafford only)

Case No. 04-1233

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted. Accordingly, based on the Report and Recommendation and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Lula Mae Gafford (Doc. No. 90) is **GRANTED**;
2. Plaintiff Lula Mae Gafford's claims are **DISMISSED WITH PREJUDICE**; and
3. Plaintiff's counsel must pay \$125.00 to Bayer Corporation within ten days of this Order.

Dated: October 15, 2007

s / Michael J. Davis
MICHAEL J. DAVIS
United States District Court Judge